



Roll Call

NORTHAMPTON
Northampton, MA

CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET,

A regular meeting of the City Council was called to order by Council President Ryan R. O'Donnell. At 7:15 p.m. on a roll call the following City Councilors were present:

At-Large Councilor William H. Dwight	At-Large Councilor Ryan O'Donnell
Ward 1 Councilor Maureen T. Carney	Ward 2 Councilor Dennis P. Bidwell
Ward 3 Councilor James Nash	Ward 4 Councilor Gina-Louise Sciarra
Ward 5 Councilor David A. Murphy	Ward 6 Councilor Marianne LaBarge
Ward 7 Councilor Alisa F. Klein	

Announcement of Audio/Video Recording

Councilor O'Donnell announced that the meeting was being audio and video recorded for broadcast by Northampton Community Television.

Public Hearings Announcement of Public Hearing

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Councilor O'Donnell made the following announcement:
In accordance with the provisions of Section 22, Chapter 166 of the General Laws, a public hearing will be held on July 12, 2018 @ 7:05 p.m. in City Council Chambers, 212 Main Street, Northampton, on the petition of National Grid/Verizon New England to erect poles and wires upon, along, under or across one or more public ways. Pole Petition #26019356 - Cooke Avenue.

Recess for Committee on Finance Meeting

By mutual consent, members agreed to move the Finance Committee meeting up on the agenda so Councilor Murphy could leave to tend to a family emergency.

At 7:15 p.m. the City Council recessed for the Committee on Finance meeting. The Committee on Finance meeting adjourned at 7:38 p.m. The City Council reconvened at 7:38 p.m.

Councilor Murphy left at 7:38 p.m.

Updates from Council President & Committee Chairs

Updates from Council President & Committee Chairs
None.

Recognitions and One-Minute Announcements by Councilors

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None.

Resolutions 18.128 A Resolution Calling for an End to the Separation of Immigrant Children from Their Parents - 1st Reading

Resolutions 18.128 A Resolution Calling for an End to the Separation of Immigrant Children from Their Parents - 1st Reading
Councilor Dwight moved to approve the resolution in 1st reading. Councilor Sciarra seconded.

Councilor O'Donnell noted that the sponsors are offering substantial amendments to the resolution. He asked if there was any objection to waiving the reading of the

original version and instead, reading the amended version. Hearing none, he proceeded to read the text of the amended version.

Councilor Dwight moved to adopt the amendment as presented. Councilor Klein seconded. The motion carried 8:0 (Councilor Murphy absent).

From the day they wrote the resolution to today there was a change and an Executive Order was issued by President Trump, Councilor Klein related. Sponsors felt that it behooved them to revisit the resolution and figure out how to address the fact that now technically children will not be separated from their parents; however the policy of “zero tolerance” remains in place. The administration’s policy is problematic legally and conceptually because children could be incarcerated with their parents for many years. There were so many pieces that shifted with the Executive Order that sponsors felt the need to address it [with revised language]. She appreciated Chelsea Klein’s comment in public comment about family reunification, and sponsors did indeed address this in their amendment. Reports say 6,000 children have been separated from their parents since April; some say 9,000. This is a resolution that really speaks for itself; it is quite lengthy and detailed, she said, referring to footnotes. She thanked co-sponsors Councilor LaBarge and Councilor Sciarra.

Councilor Sciarra also thanked her co-sponsors. There was brief discussion of whether they should withdraw the resolution because the Executive Order changes the conversation. But she feels very strongly they need to do everything possible not to whitewash this situation. Reunification is the very least thing that needs to be done and there aren’t even any plans for that. She doesn’t want to think there will be the need for an apology from some future administration. There is no way to undo this trauma and make it right. She doesn’t know what justice would be for this situation but she would really like to make it right for these families. She thinks it is important to speak as loudly as they can about this and not accept this Executive Order as a fix for this shameful moment in history.

She feels this is the moment when the Trump administration has gone ‘too, too far,’ Councilor LaBarge shared. This is not a victory, she asserted. She finds this to be one of the most shameful, shameful episodes in U.S. history. She was upset about the children at the airport. . . “I find it to be child abuse,” she opined. Even if they are now with their parents, for how long, she asked. She finds it to be very discriminatory. Referring to TV images of children locked in cages, she thinks the children that have gone through this will never forget this. She thinks it will be watched very, very carefully. No politician should be able to hide from these images of families being separated from their children, she concluded.

We’re a nation that pays lip service to the notion of child abduction, Councilor Dwight pointed out. Residents get Amber alerts every time a child is taken by someone. “This is wholesale, state-sponsored child abduction,” he suggested. He noted the irony that they would devote so much care and energy to the abduction of one child yet at the same time be numb to the fact that thousands of children are being taken from their parents. It would be equivalent to being pulled over for speeding and having your child taken from you. There aren’t enough vacant Walmarts to house all the children that are being put into foster care. Children are being sent to the homes of people they do not know: that is kidnapping; it is stealing children from families.

“Our revulsion is evident here; it just doesn’t seem to be high enough,” he observed. It doesn’t seem to reflect the obscenity and magnitude of this crime. Oddly enough, this has unified the nation in a bipartisan way.

“Our capacity for shame seems to be diminished by the magnitude of the crimes that are now being committed in our name, and that’s very chilling,” he observed. If this happened 10 years ago, the level of outrage would be even more intense, he suggested. Now it’s just another in a string of grotesque conduct by an administration they bear responsibility for; it exists by their permission. He is grateful for their two senators saying they reject this and calling for a change in policy. It really should be a call for criminal accountability. “I do hope that day of reckoning comes and it can’t

come soon enough for me,” he concluded.

Councilor Bidwell thanked the sponsors. Irene Butter, Holocaust survivor, has been in town with her co-writers. He has read the book and heard her speak. It occurred to him in reading the book that even in the unspeakable travesties and assaults that she and her family were subjected to; their families were never separated. It struck him that in those unspeakable circumstances, even then, babies were kept with their parents; teenagers were kept with their parents. It brought home the magnitude of the tragedy.

Councilor O’Donnell called the motion to approve the resolution to a vote, and it passed unanimously 8:0 (Councilor Murphy absent.)

The co-sponsors are hoping for two readings because they would like to expedite getting the resolution to federal representatives, Councilor Klein noted.

Councilor Dwight moved to suspend rules to allow a second reading. Councilor Klein seconded. The motion passed 8:0 by voice vote (Councilor Murphy absent).

Councilor Dwight moved to approve the resolution in second reading. Councilor Carney seconded. The motion carried unanimously 8:0 (Councilor Murphy absent).

The following resolution passed two readings:

In the City Council, June 21st, in the Year Two Thousand and Eighteen
Upon the recommendation of Councilor Alisa F. Klein, Councilor Gina-Louise Sciarra, and Councilor Marianne L. LaBarge

R-18.128

**A RESOLUTION
DENOUNCING AND DEMANDING AN END TO PRESIDENT
TRUMP’S “ZERO TOLERANCE” IMMIGRATION POLICY**

- Whereas, the Department of Homeland Security announced that in the six-week period between April 19, 2018 and May 31, 2018, it separated 1,995 immigrant children from their parents at the southern U.S. border¹, with many thousands more separated before that period and since²; and
- Whereas, this practice by the United States government of ICE and Border Patrol agents separating children from their parents and families with no government mechanism for reuniting them is immoral, abhorrent, cruel, and inhumane; and
- Whereas, the children who have been separated from their parents are being held in deplorable conditions, sometimes in cages and with bottled water and bags of potato chips as their only sustenance³; and
- Whereas, the Trump administration’s “Zero Tolerance” immigration policy and the practice of separating children from their parents has caused immigrant parents to live in terror of having their children torn from them and their children to live in terror of being separated from their families in such a

¹ Timm, J.C. & Seitz-Wald, A. (18 June, 2018). All four living former first ladies condemn Trump border policy. *NBC News Online*. Downloaded from: <https://www.nbcnews.com/politics/politics-news/laura-bush-separating-families-border-cruel-immoral-n884136>
² Timmons, H. (15 June, 2018). After taking their kids, the US gives detained immigrant parents this useless toll-free number. *Quartz*. Downloaded from <https://qz.com/1304507/ice-gives-immigrant-parents-this-phone-number-to-find-detained-children/>
³ Arnold, A. (18 June, 2018). What to know about the detention centers for immigrant children along the U.S.-Mexico border. *The Cut*. Downloaded from: <https://www.thecut.com/2018/06/immigrant-children-detention-center-separated-parents.html>

	manner; and
Whereas,	separating children from their families is condemned throughout the world as a crime against children and constitutes a form of torture for both the children and their parents; and
Whereas,	the practice of separating immigrant children from their parents has been deemed “government-sponsored child abuse” by Dr. Colleen Kraft, the president of the American Academy of Pediatrics ⁴ ; and
Whereas,	the United Nations High Commissioner for Human Rights, Zeid Ra’ad al-Hussein, called for an immediate halt to this practice, stating that “The thought that any state would seek to deter parents by inflicting such abuse on children is unconscionable ⁵ ,” and
Whereas,	religious leaders representing diverse faiths issued a joint statement condemning this practice saying, “Tearing children away from parents who have made a dangerous journey to provide a safe and sufficient life for them is unnecessarily cruel and detrimental to the well-being of parents and children ⁶ ,” and
Whereas,	the separation of children from their parents can serve as a lifelong trauma and can be permanently debilitating, with this kind of trauma being linked to serious mental, physical, and community health issues such as acute and posttraumatic stress disorder, harmful drug and alcohol use, depression, anxiety, suicidality, and higher mortality rates; and
Whereas,	trauma of this nature lasts not just throughout these children’s and parents’ lifetimes but into the lives of successive generations, as we see from horrifying historical precedents such as during slavery in the United States, the Trail of Tears, and the concentration and death camps of the Holocaust; and
Whereas,	President Trump’s response to the public outcry against separating migrant children from their parents was to issue a June 20, 2018 “Executive Order Affording Congress an Opportunity to Address Family Separation” calling for the detention of immigrant families as a unit; and
Whereas,	this move on the President’s part is “not family reunification, [rather it] is family incarceration...and this is not a victory.” ⁷
Whereas,	the Trump administration is accelerating the aggressive criminalization and prosecution of the parents of these children who are, in many cases, facing up to 20 years in

⁴ Wise, J. (18 June, 2018). American Academy of Pediatrics president: Trump family separation policy is child abuse. *The Hill*. Downloaded from: <http://thehill.com/latino/392790-american-academy-of-pediatrics-president-trumps-family-separation-policy-is-child>

⁵ Cumming-Bruce, N. (18 June, 2018). U.N. Rights Chief Tells U.S. to Stop Taking Migrant Children From Parents. *The New York Times*. Downloaded from: <https://www.nytimes.com/2018/06/18/world/europe/trump-migrant-children-un.html>

⁶ Council of Bishops, The United Methodist Church (7 June, 2018). *Faith leaders’ statement on family separation*. Downloaded from: http://www.umc.org/who-we-are/faith-leaders-statement-on-family-separation?mkt_tok=eyJpLjoiWVRVMlI6RTVNRGt5T0RSbSIsInQiOiJKc1pUK2piZndEcZLRDZuRnVjVFNmY3RQUGdlUzFIVUdHcFlmQVRBb1hVb1RhS1wvT25jYTdrTGhMazNDMGxcL3lCbVBLTTNUSjV0Q25tVFUxODRPZ0tBPT0ifQ%3D%3D

⁷ As stated by Jovana Renteria from Puente, a grassroots migrant justice organization based in Phoenix, in a June 21, 2018 press conference. Downloaded from <https://www.facebook.com/puenteaz/videos/1941587642532743/>

	<p>prison for “illegal entry” so that immigrant children could remain incarcerated with their parents for very long periods of time, thus violating a 2015 court decision on children’s rights called the Flores Agreement that limits the ability of the government to detain children for more than 20 days; and</p> <p>Whereas, despite the Executive Order, the Trump administration currently has no plans to reunite the thousands of children already separated from their parents, some of whom have already been deported⁸; and</p> <p>Whereas, the federally-sponsored immigration raids that target these parents and children in their homes, at work, and in their neighborhoods are conducted without respect for civil and constitutional rights.⁹</p> <p>NOW THEREFORE BE IT RESOLVED that the City Council of Northampton, Massachusetts condemns the shameful policy of separating immigrant children from their parents and families, the incarceration of immigrant children and their parents, and the Trump administration’s “Zero Tolerance” immigration policy, and calls for restitution for, and reunification of, the families who have been affected by it.</p> <p>BE IT FURTHER RESOLVED that the City Council of Northampton, Massachusetts calls for bipartisan support for the urgent passage of U.S. Senate Bill S.3036, the “Keep Families Together Act.”¹⁰ Introduced by Senator Dianne Feinstein and co-sponsored by Massachusetts Senators Elizabeth Warren and Ed Markey, S.3036 prohibits the separation of children from their guardians unless “danger of abuse or neglect at the hands of the parent or legal guardian” can be proven through multiple, evidence-based and trauma-informed steps that safeguard “a strong presumption in favor of family unity.”</p> <p>BE IT FURTHER RESOLVED that the City Council of Northampton, Massachusetts calls for federal immigration policy that is guided by humane and carefully considered laws that help protect the people who come to the United States seeking asylum and relief.</p> <p>BE IT FURTHER RESOLVED that the Administrative Assistant to the City Council shall cause a copy of this resolution to be sent to President Donald Trump, United States Homeland Security Secretary Kirstjen Nielsen, United States Attorney General Jefferson Sessions, U.S. Senator Elizabeth Warren, U.S. Senator Ed Markey, U.S. Senator Dianne Feinstein, Congressman James McGovern, and MA Governor Charles Baker.</p> <p><u>Rules suspended, passed two readings and enrolled.</u></p>
<p><u>Consent Agenda</u></p>	<p><u>Consent Agenda</u></p> <p>Councilor O'Donnell reviewed the items on the consent agenda and asked if anyone wished to remove an item for separate discussion. He said he interprets the request from the Mayor to amend the term length of Brian Campedelli on the License Commission from three to six years as a referral to the City Services Committee.</p> <p>As no one wished to remove an item, Councilor Dwight moved acceptance of the</p>

⁸ Trump Admin to Indefinitely Detain Migrant Families Together; No Plan to Reunite Separated Children (21 June, 2018). Transcript from Democracy Now!. Downloaded from: https://www.democracynow.org/2018/6/21/trump_admin_to_indefinitely_detain_migrant

⁹ González, J. (17 June, 2018). How to stop child separation? *Truthout*. Downloaded from <https://truthout.org/articles/how-to-stop-child-separation-stop-sending-their-parents-to-prison/>

¹⁰https://www.feinstein.senate.gov/public/_cache/files/8/7/8757edf1-4c26-44ad-be6d-3e62b4875d59/8E980D047182BB87CF73EEAD252B3F78.keeping-families-together-act.pdf

	<p>consent agenda. Councilor LaBarge seconded. The motion carried 8:0 (Councilor Murphy absent).</p> <p>The following items were approved as part of the consent agenda:</p> <p>A. Minutes of May 3, 2018 and May 17, 2018</p> <p>B. 18.129 Appointments to Various Boards (referred to City Services)</p> <p><u>Agricultural Commission</u> John J. Bobala, 25 Old Ferry Road, Northampton Term: July 2018-June 2021 <i>(Reappointment)</i></p> <p><u>Council on Aging</u> Gerriann Butler, 46 Autumn Dr., Florence Term: July 2018-June 2021 <i>(Reappointment)</i></p> <p><u>Arts Council</u> Courtney Hummel, 320 Elm Street, Northampton Term: July 2018-June 2019 <i>(To fulfill the unexpired term of Joe Pesce)</i></p> <p>Kristen Mara, 41 Williams St., Apt. 2RR, Northampton Term: July 2018-June 2021 <i>(To fill the expired second term of George Myers)</i></p> <p>Lori Steiner, 18 Ridgewood Terrace, Northampton Term: July 2018-June 2020 <i>(To fulfill the unexpired term of Melissa-Lewis Gentry)</i></p> <p><u>Parks and Recreation Commission</u> Kristin Dardano, 281 Elm St., Northampton Term: July 2018-June 2021 <i>(Reappointment)</i></p> <p><u>Public Shade Tree Commission</u> Robert Postel, 44 Washington Ave., Northampton Term: July 2018-June 2021 <i>(Reappointment)</i></p> <p><u>Transportation and Parking Commission</u> Gary Hartwell, 419 Riverside Dr., Florence Term: July 2018-June 2021 <i>(Reappointment)</i></p> <p><u>License Commission</u> Please note that the term for Brian Campedelli, who was approved for reappointment at the June 7th City Council meeting was mistakenly listed as a three year term. It should be a six year term and expire in June 2024.</p>
<p><u>Financial Orders (on 1st reading)</u></p> <p><u>18.124 An Order to Grant Utility Easement under Masonic Street Parking Lot - 1st reading</u></p> <p><u>18.126 Order to Authorize Northampton School Committee to Accept Gift of Surplus Technology Equipment from Smith College - 1st Reading</u></p>	<p><u>Financial Orders (on 1st reading pending Finance review)</u></p> <p><u>18.124 An Order to Grant Utility Easement under Masonic Street Parking Lot - 1st reading</u></p> <p>Councilor LaBarge moved to approve the order in 1st reading. Councilor Dwight seconded. The motion carried 8:0 by roll call vote (Councilor Murphy absent).</p> <p><u>See minutes of July 12, 2018 for second reading.</u></p> <p><u>18.126 Order to Authorize Northampton School Committee to Accept Gift of Surplus Technology Equipment from Smith College - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the order in 1st reading. Councilor Sciarra seconded. The motion carried 8:0 by roll call vote (Councilor Murphy absent).</p> <p><u>See minutes of July 12, 2018 for second reading.</u></p>

<u>18.127 An Order to Authorize FY2019 Intermunicipal Agreements - 1st Reading</u>	<u>18.127 An Order to Authorize FY2019 Intermunicipal Agreements - 1st Reading</u> Councilor LaBarge moved to approve the order in 1st reading. Councilor Dwight seconded. The motion carried 8:0 by roll call vote (Councilor Murphy absent). <u>See minutes of July 12, 2018 for second reading.</u>
<u>Financial Orders (on 2nd reading)</u> <u>18.108 An Order to Approve FY2019 General Fund Budget – 2nd Reading</u>	<u>Financial Orders (on 2nd reading)</u> <u>18.108 An Order to Approve FY2019 General Fund Budget – 2nd Reading</u> Councilor LaBarge moved to approve the order in 2nd reading. Councilor Carney seconded. The motion passed carried 8:0 by roll call vote (Councilor Murphy absent). <u>The following order passed two readings:</u> <div style="text-align: center;">City of Northampton MASSACHUSETTS _____ <i>In City Council</i> June 7, 2018 _____ Upon recommendation of the Mayor <div style="text-align: center;">O-18.108 AN ORDER TO APPROVE FY 2019 GENERAL FUND BUDGET</div> <i>Ordered, that</i> the sum of \$90,270,318 which is the full amount necessary for the Fiscal Year 2019 General Fund Budget (July 1, 2018 to June 30, 2019), be appropriated for the purposes stated, provided that the appropriation for Smith Vocational and Agricultural School shall be used solely for the purposes of meeting net school spending as defined by the Department of Elementary and Secondary Education and no funds so appropriated shall be transferred to any account or expended for any purpose that would not be included in the calculation of net school spending. To meet this appropriation, \$1,821,267 will be raised and appropriated from Parking Meter Receipts Reserved, \$10,000 from Cemetery Perpetual Care Trust Fund, \$5,000 from Cemetery Sale of Lots Receipts Reserved, \$968,824 from Sewer Enterprise Funds, \$573,975 from Water Enterprise Funds, \$114,437 from Solid Waste Enterprise Funds, \$248,620 from Storm Water Enterprise Funds, \$5,000 from Wetlands Filing Fees, \$1,500 from the Waterways Fund, \$13,609 from Community Preservation Act Administrative Funds, \$25,679 from the Reserve for Police Station Debt Service, \$277,850 from the Fiscal Stability Stabilization Fund and \$86,204,557 will be raised and appropriated.</div>

CITY OF NORTHAMPTON, MASSACHUSETTS
FISCAL YEAR 2019 BUDGET APPROPRIATION ORDER

	Personal Services	Ordinary Maintenance	Other Than Ordinary Maintenance	FY 2019 Total Expenditures
GENERAL FUND				
GENERAL GOVERNMENT				
CITY COUNCIL	134,339	53,900	0	188,239
MAYOR	445,027	16,442	0	461,469
AUDITOR	312,526	5,280	0	317,806
ASSESSORS	156,182	99,850	0	256,032
TREASURER	0	0	0	0
TREASURER/COLLECTOR	362,294	266,685	0	628,979
LEGAL SERVICES	0	275,000	0	275,000
HUMAN RESOURCES	301,527	19,550	0	321,077
INFORMATION TECHNOLOGY	390,015	466,435	0	856,450
CITY CLERK / REGISTRAR OF VOTERS	187,303	75,425	0	262,728
PLANNING & SUSTAINABILITY	332,460	46,807	0	379,267
CENTRAL SERVICES	571,427	1,019,816		1,591,243
	3,193,100	2,345,190	0	5,538,290
PUBLIC SAFETY				
POLICE	5,473,876	558,316	278,273	6,310,465
PARKING DIVISION - ENFORCEMENT	192,000	12,200	0	204,200
PUBLIC SAFETY COMM CENTER	544,990	58,650	0	603,640
FIRE RESCUE	5,421,766	506,400	210,000	6,138,166
BUILDING INSPECTOR	423,928	24,700	0	448,628
PARKING DIVISION - MAINTENANCE	211,912	237,246	73,000	522,158
	12,268,472	1,397,512	561,273	14,227,257
EDUCATION				
SMITH VOCATIONAL HIGH SCHOOL	0	0	0	8,137,138
SCHOOL DEPARTMENT	0	0	0	29,704,135
	0	0	0	37,841,273
PUBLIC WORKS				
ADMINISTRATION AND ENGINEERING	221,306	32,347	0	253,653
STREET GENERAL HIGHWAY	1,040,588	443,346	175,000	1,658,934
STREET SNOW AND ICE CONTROL	131,000	369,000	0	500,000
PARKS AND CEMETERIES DIVISION	461,022	162,336	20,000	643,358
	1,853,916	1,007,029	195,000	3,055,945
HUMAN SERVICES				
HEALTH DEPARTMENT	247,824	33,710	0	281,534
SENIOR SERVICES	229,827	10,264	0	240,091
VETERANS SERVICES	187,605	730,523	0	918,128
	665,256	774,497	0	1,439,753

	Personal Services	Ordinary Maintenance	Other Than Ordinary Maintenance	FY 2019 Total Expenditures
CULTURE AND RECREATION				
FORBES LIBRARY	1,131,164	180,217	0	1,311,381
LILLY LIBRARY	241,271	86,585	0	327,856
RECREATION	219,650	20,000	0	239,650
ARTS AND CULTURE	51,648	16,000	0	67,648
	1,643,733	302,802	0	1,946,535
DEBT SERVICE				
MUNICIPAL INDEBTEDNESS	0	4,992,050	0	4,992,050
INTEREST ON MUNICIPAL INDEBTEDNESS	0	1,006,085	0	1,006,085
	0	5,998,135	0	5,998,135
EMPLOYEE BENEFITS				
CONTRIBUTORY RETIREMENT SYSTEM	5,826,095	0	0	5,826,095
PENSIONS: NON-CONTRIB. & OPEB	282,000	10,000	0	292,000
WORKER'S COMPENSATION	725,289	0	0	725,289
UNEMPLOYMENT COMPENSATION	105,000	12,000	0	117,000
GROUP MEDICAL INSURANCE	10,809,767	15,000	0	10,824,767
LIFE INSURANCE	55,000	0	0	55,000
EMPLOYEE TAXES	844,564	0	0	844,564
UNUSED SICK LEAVE	180,000	0	0	180,000
	18,827,715	37,000	0	18,864,715
CAPITAL PROJECTS & MISCELLANEOUS				
CAPITAL PROJECTS	0	315,000	0	315,000
GENERAL LIABILITY FUND	0	63,000	0	63,000
PROPERTY & AUTO INSURANCE	0	249,000	0	249,000
PUBLIC EMPLOYEES LIABILITY INSURANCE	0	63,531	0	63,531
RESERVE FOR PERSONNEL	0	285,000	0	285,000
TRANSFER TO FISCAL STABILITY STABILIZATION FUND	0	0	0	0
TRANSFER TO CAPITAL STABILIZATION FUND	0	382,884	0	382,884
	0	1,358,415	0	1,358,415
TOTAL GENERAL FUND APPROPRIATION			90,270,318	
NON-APPROPRIATED USES				
RESERVE FOR ABATEMENTS & EXEMPTIONS		500,000		500,000
OTHER AMOUNTS TO BE RAISED		27,122		27,122
CHERRY SHEET OFFSET RECEIPTS		1,544,714		1,544,714
STATE ASSESSMENTS - CHERRY SHEET		3,676,878		3,676,878
	0	5,748,714	0	5,748,714
TOTAL BUDGET PLAN - GENERAL FUND			96,019,032	

Rules suspended, passed two readings and enrolled.

18.109 Orders to Approve FY 2019 Enterprise Funds – 2nd reading

18.109 Orders to Approve FY 2019 Enterprise Funds – 2nd reading
Councilor LaBarge moved to approve the orders in 2nd reading. Councilor Dwight seconded. The motion carried 8:0 by roll call vote (Councilor Murphy absent).

The following order passed two readings:

City of Northampton
MASSACHUSETTS

In City Council June 7, 2018

Upon recommendation of the Mayor

O-18.109
ORDERS TO
APPROVE FY 2019 ENTERPRISE FUNDS

Ordered, that

the sum of \$6,325,939 which is the full amount necessary for the Fiscal Year 2019 Sewer Enterprise Fund Budget (July 1, 2018 to June 30, 2019), be appropriated for the purposes stated and to meet said appropriation, \$5,357,115 is to be raised from sewer receipts and \$968,824 shall be allocated to indirect costs.

			Other Than	FY 2019
	Personal	Ordinary	Ordinary	Total
	Services	Maintenance	Maintenance	Expenditures
SEWER ENTERPRISE FUND				
SEWER GENERAL SANITARY	688,117	219,700	716,000	1,623,817
SEWER TREATMENT	851,078	1,263,464	535,000	2,649,542
SEWER DEBT	0	0	391,572	391,572
SEWER INTEREST	0	0	62,710	62,710
SEWER DIRECT & INDIRECT COSTS	0	0	968,824	968,824
SEWER RESERVE FOR CAPITAL PROJECTS	0	0	629,474	629,474
	1,539,195	1,483,164	3,303,580	6,325,939
TOTAL SEWER ENTERPRISE FUND APPROPRIATION				6,325,939

City of Northampton
MASSACHUSETTS

In City Council June 7, 2018

Upon recommendation of the Mayor

Ordered, that

the sum of \$7,040,600 which is the full amount necessary for the Fiscal Year 2019 Water Enterprise Fund Budget (July 1, 2018 to June 30, 2019), be appropriated for the purposes stated and to meet said appropriation, \$6,466,625 is to be raised from water receipts, \$573,975 shall be allocated to indirect costs.

			Other Than	FY 2019
	Personal	Ordinary	Ordinary	Total
	Services	Maintenance	Maintenance	Expenditures
WATER ENTERPRISE FUND				
WATER TREATMENT AND OPERATIONS	1,501,432	1,144,448	1,726,500	4,372,380
WATER DEBT	0	0	1,655,177	1,655,177
WATER INTEREST			349,830	349,830
WATER INDIRECT COSTS	0	0	573,975	573,975
WATER RESERVE ACCOUNTS	0	0	89,238	89,238
	1,501,432	1,144,448	4,394,720	7,040,600
TOTAL WATER ENTERPRISE FUND APPROPRIATION				7,040,600

City of Northampton
MASSACHUSETTS

In City Council June 7, 2018

Upon recommendation of the Mayor

Ordered, that

the sum of \$639,396 which is the full amount necessary for the Fiscal Year 2019 Solid Waste Enterprise Fund Budget (July 1, 2018 to June 30, 2019), be appropriated for the purposes stated and to meet said appropriation, \$361,063 is to be raised from solid waste receipts, \$114,437 shall be allocated to indirect costs, and \$163,896 to be made available from the Undesignated Fund Balance of the Solid Waste Enterprise Fund.

			Other Than Ordinary Maintenance	FY 2019 Total Expenditures
	Personal Services	Ordinary Maintenance		
SOLID WASTE ENTERPRISE FUND				
OTHER WASTE MGT PROGRAMS	253,469	218,490	53,000	524,959
SOLID WASTE DIRECT & INDIRECT COSTS	0	0	114,437	114,437
	253,469	218,490	167,437	639,396
TOTAL SOLID WASTE ENTERPRISE FUND APPROPRIATION				639,396

City of Northampton
MASSACHUSETTS

In City Council June 7, 2018

Upon recommendation of the Mayor

Ordered, that

the sum of \$1,951,986 which is the full amount necessary for the Fiscal Year 2019 Stormwater and Flood Control Enterprise Fund Budget (July 1, 2018 to June 30, 2019), be appropriated for the purposes stated and to meet said appropriation, \$1,703,366 is to be raised from Stormwater and Flood control receipts and \$248,620 shall be allocated to indirect costs.

	Personal Services	Ordinary Maintenance	Other Than Ordinary Maintenance	FY 2019 Total Expenditures
STORMWATER ENTERPRISE FUND				
STORM WATER DRAIN OPERATIONS	362,496	152,236	793,953	1,308,685
STORM WATER FLOOD CONTROL OPERATIONS	31,216	43,015	275,000	349,231
STORM WATER DEBT		40,000		40,000
STORM WATER INTEREST		5,450		5,450
STORM WATER INDIRECT COSTS		248,620		248,620
TOTAL STORMWATER AND FLOOD CONTROL ENTERPRISE FUND	393,712	489,321	1,068,953	1,951,986
TOTAL STORM WATER ENTERPRISE FUND APPROPRIATION				1,951,986

Rules suspended, passed two readings and enrolled.

18.110 An Order to Approve FY2019 Revolving Funds – 2nd reading

18.110 An Order to Approve FY2019 Revolving Funds – 2nd reading
Councilor LaBarge moved to approve the order in 2nd reading. Councilor Dwight seconded. The motion carried 8:0 by roll call vote (Councilor Murphy absent).

The following order passed two readings:

City of Northampton

MASSACHUSETTS

In City Council

June 7, 2018

Upon recommendation of the Mayor
O-18.110 ORDER TO APPROVE FY 2019 REVOLVING FUNDS

Ordered that, in accordance with M.G.L. Chapter 44, Section 53 E 1/2 the city shall vote the limit on the total amount that may be expended from each revolving fund established by Chapter 16 of the City Ordinances.

Fund Number	Name of Fund	Annual Spending Limit
2420	Energy and Sustainability Revolving Fund	\$150,000
2416	Hazmat Revolving Fund	\$85,000
2419	DPW Public Works Construction Services Revolving Fund	\$85,000
2408	Senior Services Transportation Revolving Fund	\$100,000
2428	Senior Services Activities Revolving Fund	\$90,000
2432	Senior Services Gift Shop Revolving Fund	\$20,000
2433	Senior Services Food Services Revolving Fund	\$35,000
2440	Senior Services Publications Revolving Fund	\$35,000
2441	Senior Trips and Travel Revolving Fund	\$75,000
2406	Athletic League Fees Revolving Fund	\$200,000
2405	JFK Family Aquatic Center	\$120,000
2422	NPS Transportation Revolving Fund	\$200,000
2452	SVAHS Farm Revolving Fund	\$100,000
2435	Tourism Directional Sign Program Revolving Fund	\$10,000
2436	Public Health Nursing Program Revolving Fund	\$30,000
2410	James House Revolving Fund	\$85,000
2439	Sharps Disposal Program Revolving Fund	\$15,000
2442	Fire Alarm Monitoring Program Revolving Fund	\$60,000
2443	DPW Reuse Committee Revolving Fund	\$15,000

Rules suspended, passed two readings and enrolled.

Orders

Orders

None.

Ordinances (Not yet Referred)
18.123 An Ordinance to Amend Chapter 312-110 of the Code Book
18.125 An Ordinance to Amend Chapter

Ordinances (Not yet Referred)
18.123 An Ordinance to Amend Chapter 312-110 of the Code Book
18.125 An Ordinance to Amend Chapter 312-104 of the Code Book
Councilor Dwight moved to refer the two parking ordinances to the Legislative Matters Committee. Councilor Carney seconded.

<u>312-104 of the Code Book</u>	Councilor O'Donnell asked if they should also go to the Transportation & Parking Commission (TPC). As TPC Chair Councilor Nash did not object, Councilor Dwight amended his motion to include referral to the TPC. The motion carried 8:0 by voice vote (Councilor Murphy absent).
<u>Ordinances</u> <u>18.096 Road Takings Ordinance - 1st reading</u>	<p><u>Ordinances</u></p> <p><u>18.096 Road Takings Ordinance - 1st reading</u></p> <p>Councilor O'Donnell read the text of the ordinance.</p> <p>This arose because the city is looking at a major reconstruction project on Damon Road, Mayor Narkewicz explained. For any major state project, the state makes the city do all the surveying and land taking. Sometimes due to a taking city officials are reducing the lot size and bringing a lot into noncompliance with zoning. An approach they've seen used in other communities is to provide for grandfathering in those cases where, due to a city or state taking of land, a nonconforming lot is created.</p> <p>When a taking occurs, the Commonwealth is obligated to pay for strips of land taken but doesn't necessarily account for the diminished value of remaining land, Senior Planner Carolyn Misch elaborated. In some situations, this sort of falls through the cracks, the land becomes unusable and the owner is not compensated. The proposed ordinance provides a cushion for those folks who are subject to road widenings or other public actions for the taking of land.</p> <p>In explanation for the condition that the lot still have 50 feet of frontage, Ms. Misch said this is the minimum frontage requirement for a residential lot in the Commonwealth.</p> <p>Councilor O'Donnell asked if the effective date could be changed to a future date [instead of January 1, 2018].</p> <p>Councilor Dwight asked if there isn't already a provision for averaging of lot size and dimensional requirements.</p> <p>These provisions are targeted for residential uses only, Ms. Misch responded. Also, planners have eliminated some of the dimensional averaging provisions.</p> <p>Councilor Bidwell wondered if it would cause any bumps to have the ordinance be applied retroactively. He moved that the January 1, 2018 reference be changed to August 1, 2018. Councilor Dwight seconded. The motion passed unanimously 8:0 by voice vote (Councilor Murphy absent).</p> <p>Mayor Narkewicz noted that eliminating an effective date would mean that it would go into effect once enacted. The city solicitor suggested having an effective date so it was clear.</p> <p>Some property owners subject to previous land takings have had it in writing that property pins would be replaced but they never were, Councilor LaBarge related. She asked how they could protect people who are having something like this done where property pins are being removed. Having them replaced is not cheap, she pointed out.</p> <p>Once property bounds are changed by the city, the new property lines should be bounded by pins so everyone understands where the new property boundary is, Ms. Misch confirmed. She expressed her understanding that Councilor LaBarge is seeking a way to insure that pins get located at the property line. She said she didn't have an answer but agreed it is clearly part of the project. The city doesn't necessarily have control over every detail with a state project; rather, DOT engineers are supposed to oversee the project.</p> <p>They can inquire, Mayor Narkewicz said. Pins are usually dug up, he confirmed.</p>

Councilor O'Donnell asked Ms. Misch to explain D (1):

- D. When land is taken by the City or the Commonwealth for public purposes, not specified in 350-6.3C above, and when such conveyance renders the remainder of the lot nonconforming or, as to a pre-existing nonconforming lot, increases its nonconformity with the dimensional requirements of this Zoning Ordinance, that remainder lot shall be considered to be a protected nonconforming lot subject to the provisions 350-9:
- (1) If the remainder lot it is not held in common with any adjoining parcels; and

Ms. Misch explained that the so-called ‘merger doctrine’ requires that if an adjacent parcel is owned, the two lots be combined to meet zoning requirements. Planners are not trying to make changes to that merger doctrine; it still applies, she said.

Councilor O'Donnell moved to strike the word ‘it’ in D(1). Councilor Dwight seconded. The motion passed unanimously 8:0 by voice vote (Councilor Murphy absent).

Councilor LaBarge moved to approve the ordinance in 1st reading. Councilor Dwight seconded. The motion passed unanimously 8:0 by roll call vote (Councilor Murphy absent).

See minutes of July 12, 2018 for second reading.

18.098 Ordinance to Delete Sewer Use from Chapter 260 of the Northampton Code – 2nd Reading

18.098 Ordinance to Delete Sewer Use from Chapter 260 of the Northampton Code – 2nd Reading
Councilor Dwight moved to approve the ordinance in 2nd reading. Councilor Sciarra seconded. The motion carried 8:0 by roll call vote (Councilor Murphy absent).

The following ordinance passed two readings:

City of Northampton
Massachusetts

In the Year 2018
Upon the Recommendation of Mayor David J. Narkewicz

18.098
AN ORDINANCE
To delete Sewer Use from Chapter 260 of the Code Book

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising § Chapter 260 of said Code; providing that Sewer Use.

Be it ordained by the City Council of the City of Northampton, in city Council assembled, as follows:

Section 1: that § Chapter 260 of the Code of Ordinances of the City of Northampton Massachusetts, be amended so that such section shall read as follows:

Section § Chapter 260

Delete

Chapter 260 and add in place thereof:

Rules suspended, passed two readings, ordained and enrolled.

Information Requests (Charter Provision 2-7)

Information Requests (Charter Provision 2-7) and Information Study Requests

<u>and Information Study Requests</u>	None
<u>Motion to Adjourn</u>	<p>At 8:33 p.m., a motion to adjourn was made by Councilor Dwight and seconded by Councilor Bidwell. The motion passed on a voice vote of 8 Yes, 0 No (Councilor Murphy absent).</p> <p>Attest: Laura Krutzler, Administrative Assistant to the City Council</p>